

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Michel H. Malek  
Title: SPINE STABILIZATION  
SYSTEMS  
Appl. No.: 10/722,119  
Filing Date: 11/25/2003  
Examiner: David C. Comstock  
Art Unit: 3733  
Confirmation Number: 4839

**AMENDMENT AND REPLY UNDER 37 CFR. § 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Comstock:

This communication is responsive to the non-final Office Action, dated October 4, 2007, concerning the above-referenced patent application. Applicant believes this response to be timely filed.

While Applicant believes that no additional fees are due with this response, the Commissioner is hereby authorized to charge any fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers

submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorize payment of any such extensions fees to Deposit Account No. 19-0741.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this document.

**Remarks/Arguments** begin on page 7 of this document.

Please amend the application as follows: